

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS

SUPERIOR COURT DEPARTMENT

PAUL O'KEEFE, as Personal
Representative of the Estate of JOHN
JOSEPH O'KEEFE III, PAUL O'KEEFE,
Individually, JOHN O'KEEFE II,
MARGARET O'KEEFE, and MARGARET
O'KEEFE as Grandparent/
Guardian of KAYLEY FURBUSH,

Plaintiffs,

v.

C&C HOSPITALITY, LLC d/b/a C.F.
MCCARTHY'S, G&S HOSPITALITY,
LLC d/b/a C.F. MCCARTHY'S,
WATERFALL BAR & GRILL, LTD d/b/a
WATERFALL BAR & GRILL, and
KAREN READ,

Defendants.

Civil Action No. 2483cv00692

**MEMORANDUM OF LAW IN SUPPORT OF MOTION TO COMPEL SGT. SEAN
GOODE TO PRODUCE DOCUMENTS IN RESPONSE TO SUBPOENA**

Defendant Karen Read ("Read") respectfully requests that the Court compel Sergeant Sean Goode ("Sgt. Goode") of the Canton Police Department to produce all documents in his possession, custody, or control that are responsive to the subpoena Read served on him more than a month ago. As of the date of filing, Sgt. Goode has not responded to Read's subpoena in any manner and the deadline to do so has long passed.

Facts

Plaintiffs allege that Read backed her car into John O'Keefe III on January 29, 2022 and caused his death. They also allege that Read created a "false narrative" that someone else killed Mr. O'Keefe and that the police investigation into his death was corrupt, biased, and designed to

deflect attention away from the law enforcement officers and their families who were inside the house at 34 Fairview Road in Canton the night Mr. O’Keefe died. Compl., Doc. No. 1, ¶¶ 52, 126, 134, 142, 160. Plaintiffs claim this “false narrative” supports their “Negligent/Reckless Infliction of Emotional Distress” claims against Read. *Id.* Read denies the Plaintiffs’ claims.

On November 7, 2025, as part of her attempt to defend against Plaintiffs’ claims by, in part, proving that this same narrative was actually true, Read served a subpoena (the “Subpoena”) on Sgt. Goode at his last known residential address.¹ Sgt. Goode received the 911 call regarding Mr. O’Keefe’s death, was one of the first officers to respond to the scene at 34 Fairview Road, and had been at the Canton Police station when one of the occupants of the house, federal agent Brian Higgins, visited earlier that morning. Sgt. Goode was recently placed on administrative leave while the Canton Police Department conducts an investigation into his conduct, which public information suggests includes his communications with Michael Proctor (“Proctor”), the former state trooper who led the investigation into Mr. O’Keefe’s death. The Subpoena seeks documents relating to Read, Mr. O’Keefe, Sgt. Goode’s leave, Proctor, and other relevant topics. *See* Mass. R. Civ. P. 26(b)(1) (“Parties may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action, whether it relates to the claim or defense of the party seeking discovery or to the claim or defense of any other party.” Rule 45 allows parties to obtain discovery from nonparties by subpoena.

Pursuant to the Subpoena, Sgt. Goode’s response was due on November 15th. Ex. 1. Sgt. Goode has not contacted Read’s counsel, through his own counsel or directly, and has not produced any documents. The Court should order him to comply.

¹ True and accurate copies of the Subpoena and the related Affidavit of Service are attached as collective Exhibit 1.

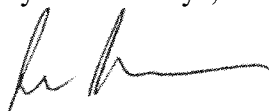
Conclusion

For the foregoing reasons, Read respectfully requests that the Court allow the Motion and compel Sgt. Goode to produce all documents responsive to the Subpoena within ten (10) days of such order.

Respectfully submitted,

KAREN READ,

By her attorneys,



Damon M. Seligson (BBO# 632763)
Charles M. Waters (BBO# 631425)
Aaron D. Rosenberg (BBO# 684826)
Sheehan Phinney Bass & Green, PA
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WERKSMAN JACKSON & QUINN LLP

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elittle@werksmanjackson.com

Dated: December 9, 2025

CERTIFICATE OF SERVICE

I certify that a copy of this document was served on all counsel of record by email and on the Sgt. Sean Goode by hand on December 9, 2025.



Aaron D. Rosenberg

Dated: December 9, 2025

EXHIBIT 1

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS

SUPERIOR COURT DEPARTMENT

PAUL O'KEEFE, as Personal
Representative of the Estate of JOHN
JOSEPH O'KEEFE III, PAUL O'KEEFE,
Individually, JOHN O'KEEFE II,
MARGARET O'KEEFE, and MARGARET
O'KEEFE as Grandparent/
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Plaintiffs,

v.

C&C HOSPITALITY, LLC d/b/a C.F.
MCCARTHY'S, G&S HOSPITALITY,
LLC d/b/a C.F. MCCARTHY'S,
WATERFALL BAR & GRILL, LTD d/b/a
WATERFALL BAR & GRILL, and
KAREN READ,

Defendants.

SUBPOENA

To: Sgt. Sean Goode

GREETINGS, YOU ARE HEREBY COMMANDED, in the name of the

Commonwealth of Massachusetts, pursuant to the provisions of Rule 45 of the Massachusetts
Rules of Civil Procedure, to produce the documents identified in the attached **Schedule A** at the
offices of Sheehan Phinney Bass & Green PA, 28 State Street, 22nd Floor, Boston,
Massachusetts 02109, on or before **November 15, 2025, at 10:00 a.m.**¹

¹ To arrange electronic production of the requested documents, please contact Attorney Aaron Rosenberg at (617) 897-5664, arosenberg@sheehan.com.

HEREOF FAIL NOT, as failure by any person without adequate excuse to obey a subpoena served upon him may be deemed a contempt of the court in which the action is pending.

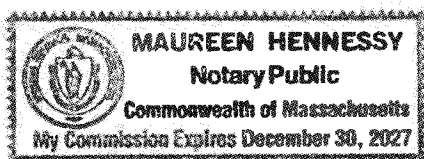
Respectfully submitted,

KAREN READ,

By her attorneys,


Damon M. Seligson (BBO# 632763)
Charles M. Waters (BBO# 631425)
Aaron D. Rosenberg (BBO# 684826)
Sheehan Phinney Bass & Green, PA
28 State Street, 22nd Floor
Boston, MA 02109
617.897.5600
dseligson@sheehan.com
cwaters@sheehan.com
arosenberg@sheehan.com

Dated: November 5, 2025




Notary Public *Maureen Hennessy*
My Commission Expires: 12/30/27

CERTIFICATE OF SERVICE

I certify that a copy of this document was served on all counsel of record by email on November 5, 2025.


Aaron D. Rosenberg

SCHEDULE A

DEFINITIONS

Unless specifically indicated, or otherwise required by the context in which the terms, names, and instructions are used:

1. “**Document**” or “**documents**” means all written, printed, typed, or other graphic matter; all print-outs and run-offs now, or at any time, in your possession, custody or control, or known to you, whether or not prepared by you. “Document” or “documents” includes, but is not limited to, all correspondence, agreements, memoranda, reports, notes, drafts of documents, internal communications, interoffice communications, telegrams, letters, directives, bulletins, accounts, vouchers, invoices, bills, ledgers, financial statements, analyses, estimates, maps, charts, graphs, drawings, work sheets, minutes, and summaries of meetings, conversations, or communications of any type, including telephone conversations and telephone messages, text messages, electronically stored information, electronic mail, instant messages, and information stored on CD-ROM and/or tape. “Document” or “documents” also include all copies and drafts which are not identical to the original.

2. The term “**concerning**” means referring to, relating to, describing, evidencing, or constituting.

3. The term “**communication**” means the transmittal of information (in the form of facts, ideas, inquiries, or otherwise) in whatever form, written or verbal or otherwise. Without limitation, any Request that seeks “Communications” is intended to include copies of such communications wherever they are stored, including physically on a phone or other device or in cloud or other storage, such as iCloud.

INSTRUCTIONS

1. **Documents Withheld.** If any document is withheld under a claim of privilege or other protection, so as to aid the Court and the parties hereto to determine the validity of the claim of privilege or other protection, please provide the following information with respect to any such documents:

- (a) the identity of the person(s) who prepared the document, who signed it, and over whose name it was sent or issued;
- (b) the identity of the person(s) to whom the document was directed;
- (c) the nature and substance of the document with sufficient particularity to enable the Court and parties hereto to identify the document;
- (d) the date of the document;
- (e) the identity of the person(s) who has custody of, or control over the document and each copy thereof;
- (f) the identify of each person to whom copies of the document were furnished;
- (g) the number of pages;
- (h) the basis on which any privilege or other protection is claimed; and,
- (i) whether any non-privileged or non-protected matter is included in the document.

2. **Partial Production.** If you object to a particular request, or portion thereof, you must produce all documents called for which are not subject to that objection. Similarly, wherever a document is not produced in full, please state with particularity the reason or reasons it is not being produced in full, and describe, to the best of your knowledge, information and belief, and with as much particularity as possible, those portions of the document which are not produced.

3. **Orderly Response.** Wherever it is reasonably practicable, please produce documents in such manner as will facilitate their identification with the particular request or category of requests to which they are responsive.

4. **Construction of “and” and “or”.** As used herein, the words “and” and “or” shall be construed both conjunctively and disjunctively, and each shall include the other

wherever such dual construction will serve to bring within the scope of these requests and any documents which would otherwise not be brought within its scope.

5. **Construction of the Singular and Plural Forms.** As used herein, the singular form shall include the plural and vice versa whenever such dual construction will serve to bring within the scope of these requests any documents which would otherwise not be brought within its scope.

6. **Format for Production.** For all documents currently stored in electronic format, produce those documents in their electronic, native form with all metadata intact. For example, emails should be produced in .pst format and audio and video recordings should be produced in their native forms with all metadata intact. If you intend to produce documents in a format other than that specified in these instructions, please notify Plaintiff's counsel before making the production.

7. **Supplementation Required.** To the extent you obtain possession, custody, or control of a document that is responsive to these requests after you make your production in response to these requests, you must supplement that initial production with the newly acquired document.

Document Requests

1. All documents, video or audio recordings, and communications, including but not limited to emails, text messages, and other forms of instant messages, to, from, or concerning Karen Read, or any of her family members, heirs, assigns, employees, contractors, agents, attorneys, or other representatives.

2. All documents, video or audio recordings, and communications, including but not limited to emails, text messages, and other forms of instant messages, concerning the 2021 black Lexus LX 570 SUV leased by Karen Read as of January 28, 2022.

3. All documents, video or audio recordings, and communications, including but not limited to emails, text messages, and other forms of instant messages, concerning or referring to the death of John J. O'Keefe III on or about January 29, 2022.

4. All documents, video or audio recordings, or communications, including but not limited to emails, text messages, and other forms of instant messages, to, from, or concerning John O'Keefe II, Paul O'Keefe, or Margaret O'Keefe from January 1, 2021 to the present.

5. All documents, video or audio recordings, and communications, including but not limited to emails, text messages, and other forms of instant messages, to, from, or concerning Brian Albert, Nicole Albert, Chris Albert, Julie Albert, Colin Albert, Brian Higgins, Jennifer McCabe, Matthew McCabe, Allison McCabe, Kerry Roberts, or any other individual present at 34 Fairview Road, Canton, Massachusetts 02021 on January 28 or January 29, 2022, or any interviews, meetings, conversations, or encounters with any such individuals, from January 1, 2021 to the present.

6. All documents, video or audio recordings, and communications, including but not limited to emails, text messages, and other forms of instant messages, to, from, or concerning Steven Saraf from January 28, 2022 to the present.

7. All documents, video or audio recordings, and communications, including but not limited to emails, text messages, and other forms of instant messages, to, from, or concerning Michael Lank from January 28, 2022 to the present.

8. All documents, video or audio recordings, and communications, including but not limited to emails, text messages, and other forms of instant messages, to, from, or concerning Kevin Albert from January 28, 2022 to the present.

9. Provide for forensic examination and copying all cellular or smart phones, which you used either personally or professionally at any time from January 1, 2021 through the present.

10. All documents, video or audio recordings, and communications, including but not limited to emails, text messages, and other forms of instant messages, concerning 34 Fairview Road, Canton, Massachusetts 02021.

11. All documents, video or audio recordings, and communications, including but not limited to emails, text messages, and other forms of instant messages, concerning any dog owned, kept, or fostered by any member of the Albert family at 34 Fairview Road, Canton, Massachusetts 02021, from January 1, 2021 to the present.

12. All documents, video or audio recordings, and communications, including but not limited to emails, text messages, and other forms of instant messages, concerning any investigation by any federal agency, department, board, administration, office, or agent relating in any way to the death of John J. O'Keefe III from January 28, 2022 to the present.

13. All documents, video or audio recordings, and communications, including but not limited to emails, text messages, and other forms of instant messages, to, from, or concerning Yuri Bukhenik from January 28, 2022 to the present.

14. All documents, video or audio recordings, and communications, including but not limited to emails, text messages, and other forms of instant messages, to, from, or concerning Michael Proctor from January 28, 2022 to the present.

15. All documents, video or audio recordings, and communications, including but not limited to emails, text messages, and other forms of instant messages, to, from, or concerning Brian Tully from January 28, 2022 to the present.

16. All documents, video or audio recordings, and communications, including but not limited to emails, text messages, and other forms of instant messages, to, from, or concerning Kelly Dever from January 28, 2022 to the present.

17. All documents, video or audio recordings, and communications concerning any disciplinary investigation, proceeding, decision, action, or appeal concerning your conduct as a Sergeant, Officer, or other employee of the Canton Police Department, from January 1, 2021 through the present.

18. All documents concerning the Town of Canton's independent investigation into allegations of misconduct, which resulted in or preceded you being placed on administrative leave by the Canton Police Department, as described in the media report available at:
<https://www.wcvb.com/article/canton-police-department-member-accused-misconduct-placed-leave/69235496>.

19. All documents concerning the allegations of misconduct against you, which Canton Police Chief Perkins stated led to you being placed on administrative leave by the Canton Police Department, as described in the media report available at:
<https://www.wcvb.com/article/canton-police-department-member-accused-misconduct-placed-leave/69235496>.

AFFIDAVIT OF SERVICE

Case: 2483CV00692	Court: Plymouth County Superior Court	County: Plymouth, MA	Job: 14524775
Plaintiff / Petitioner: Paul O'Keefe, et al		Defendant / Respondent: C&C Hospitality, LLC, et al	
Received by: All State Constables		For: Sheehan Phinney	
To be served upon: Sgt. Sean Goode			

I, Stephen Minkofsky, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name / Address: Sgt. Sean Goode, [REDACTED]

Manner of Service: Posted, Nov 7, 2025, 7:30 am EST

Documents: Subpoena and a \$10.00 Witness Fee

Additional Comments:

1) Successful Attempt: Nov 7, 2025, 7:30 am EST at [REDACTED]
Served by leaving copies thereof at the last and usual place of residence. A copy was then mailed via first class mailing to each named party on the same day.

Fees: \$65.00

/s/ Stephen Minkofsky

11/10/2025

Stephen Minkofsky

Date

All State Constables
7 Cabot Pl Suite 3
Stoughton, MA 02072
7817751520